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## GOVERNMENT OF GOA

PUBLISHED BY AUTHORITY

### EXTRAORDINARY

### No. 2

#### GOVERNMENT OF GOA

Department of Town &amp; Country Planning

#### Notification

21/1/TCP(A)/2021/Steering Committee/1377

The following draft regulations which the Government of Goa proposes to make in exercise of the powers conferred by sub-sections (1) and (2) of section 4 of the Goa (Regulation of Land Development and Building Construction) Act, 2008 (Goa Act 6 of 2008) so as to further amend the Goa Land Development and Building Construction Regulations, 2010, are hereby pre-published as required by section 5 of the said Act, for information of all the persons likely to be affected thereby and notice is hereby given that the said draft regulations will be taken into consideration by the Government after expiry of a period of 30 days from the date of publication of this Notification in the Official Gazette.

All objections and/or suggestions to the said draft Regulations may be forwarded to the Chief Town Planner (Administration), Town and Country Planning Department, 2nd Floor, Dempo Tower, Patto Plaza, Panaji, Goa, before the expiry of the said period of 30 days so that they may be taken into consideration at the time of finalization of the said draft Regulations.

#### DRAFT REGULATIONS

In exercise of the powers conferred by sub-sections (1) and (2) of section 4 of the Goa (Regulation of Land Development and Building Construction) Act, 2008 (Goa Act 6 of 2008) and all other powers enabling it in this behalf, the Government of Goa hereby makes the following regulations so as to further amend the Goa Land Development and Building Construction Regulations, 2010, namely:—

1. *Short title and commencement.*— (1) These regulations may be called the Goa Land Development and Building Construction (Amendment) Regulations, 2022.

(2) They shall come into force on the date of their final publication in the Official Gazette.

2. *Amendment of regulation 2.*— In regulation 2 of the Goa Land Development and Building Construction Regulations, 2010 (hereinafter referred to as the “principal Regulations”),—

(i) in clause (52), after the word “established”, the expression “and having work experience atleast for a period of two years under an Engineer/Structural Engineer registered with the Town and Country Planning Department” shall be substituted;

(ii) in clause (52A), for the expression “3 years”, the expression “5 years” shall be substituted;

(iii) in clause (52B), for the words “two years”, the word “five years” shall be substituted;”

(iv) in clause (63), in sub-clause (k) for the expression “Telephone Exchange/CCTV equipment room”, the expression “Telephone Exchange/CCTV equipment room/rest room for watch and ward and maintenance staff” shall be substituted.

3. *Amendment of regulation 3.11.*— In regulation 3.11 of the principal Regulations, in clause (c), for the expression “The Licencing Authority shall carry out Post Occupancy Audit on a random basis, from time to time for group housing/residential multi dwelling buildings and multistoried buildings but within five years of issue of Occupancy Certificate.”, the expression “The Licencing Authority/Planning and Development Authority/Town and Country Planning Department shall carry out Post Occupancy Audit on a random basis, from time to time for group housing/residential multi dwelling buildings and multistoried buildings.” shall be substituted.

4. *Amendment of regulation 4.11.*— In regulation 4.11, of the principal Regulations, in clause (d), for the expression “Authority/Council/Panchayat”, wherever it occurs, the expression “Authority/Council/Panchayat/Town and Country Planning Department/Planning and Development Authority/Public Works Department” shall be substituted.

5. *Amendment of regulation 6A.1.*— In regulation 6A.1 of the principal Regulations, in Table – VII, against the serial No. II, the following entry shall be added at the end, namely:—

“Commercial	Special Commercial–CBD	SPC–CBD”.
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6. *Amendment of regulation 6.A.3.1.*— In regulation 6.A.3.1 of the principal Regulations,—

(i) in clause (e), for the expressions “10,000 sq. mts” and “2.5%”, the expressions “5,000 m2” and “7.5%” shall be respectively substituted;

(ii) in clause (i), the existing paragraphs shall be numbered as (i) and (ii) respectively and after the paragraphs so numbered, the following paragraphs shall be inserted, namely:—

“(iii) Uses such as Agricultural Research Centre/development centre/Agricultural Educational Institute/Bio-Technology unit shall be permitted provided that the plot has minimum area of 2,00,000m2, the maximum Coverage, FAR and height of building permissible shall be 5%, 5% and 7.60m respectively.

(iv) Open air sports or religious structure shall be permitted provided that the plot has minimum area of 20,000m2, the maximum Coverage, FAR and height of building permissible shall be 5%, 5% and 7.60m respectively.

(v) Golf course shall be permitted provided that the plot has minimum area of 4,00,000m2, the maximum Coverage and FAR of building permissible shall be 30% and 30% respectively. It shall compulsorily have green certification and the project report shall be conceived with the following requirements: site planning and management, green and eco-friendly design, selection of species of landscape, water conservation, material selection, energy efficiency, operation and maintenance, installation of sewage treatment plants (STP),

creation of catchment areas to ensure that the project is self sufficient in water requirements, organic/non-toxic fertilizers to be used, Golf Course should be designed to act as the lungs of the locality.

(vi) Film city shall be permitted provided that the plot has minimum area of 4,00,000m<sup>2</sup>, the maximum coverage and FAR of building/permissible shall be 30% and 30% respectively.

(vii) Film Studio shall be permitted provided that the plot has minimum area of 1,00,000m<sup>2</sup>, the maximum coverage and FAR of building permissible shall be 30% and 30% respectively.

(viii) Residential school shall be permitted provided that the plot has minimum area of 2,00,000m<sup>2</sup>, the maximum coverage and FAR of building permissible shall be 20% and 20% respectively.

(ix) Yoga or meditation centre shall be permitted provided that the plot has minimum area of 1,00,000m<sup>2</sup>, the maximum coverage and FAR of building permissible shall be 20% and 20% respectively.

*Explanation:*

(1) The proposals of golf course, film city or film studio shall be considered only with the approval of Town and Country Planning Board and the Government and they shall invariably fulfill green certification by Indian Green Building Council.

(2) The proposal of Residential school or Yoga meditation centre shall be permitted in any zone except Eco Sensitive I such as low lying paddy fields, water bodies, khazan lands, flood prone area, land having slope more than 25%, forest land, wild life sanctuaries and tenanted agricultural land.

(3) The proposal of Residential school and Yoga meditation centre shall have compulsorily green certificate.”.

**7. Amendment of regulation 6.A.4.—** In regulation 6A.4 of the principal Regulations,—

(i) in Table—VIII, under item “Commercial”, the following entry shall be added at the end, namely:—

“SPC—CBD	15.00m	40%	400	10.00m	40.00m”;
(Special Commercial—CBD)					

(ii) for the existing Note (4), the following note shall be substituted, namely:—

“(4) Farm houses within A1 and A2 zones shall be permitted with maximum permissible FAR as provided in Annexure—XI, provided these lands are not classified as “Rice” (Paddy field) in Survey Records and “Forest” under Forest Act. However, in case of elevated land, recorded as rice in the Survey records and the land is not low lying and also not a “Forest” under Forest Act, farm houses shall be permitted, provided the minimum area of such land is not less than 10,000m<sup>2</sup>, the maximum ground coverage shall be limited to 2.5% and the maximum built up area shall be limited to 500m<sup>2</sup> with a maximum height of 7.60m from the ground level to the eaves of the roof.”;

(iii) in Note (12), for the expression “any other floors shall be counted free for height purpose”, the expression “any other floors, and wherever the maximum permissible FAR is 150 and more in any zone, two stilt floors, shall be counted free for height purpose” shall be substituted;

(iv) in Note (16), for the expression “Further, at the time of approval of development plans, minimum 6 meters wide right of way should be available on the site.”, the expression

"Notwithstanding min. width of road in zones, I-1 to I-3 and S-4/R-4 to S-1/R-1 specified at regulation 6A.4, TABLE-VIII, the minimum width of road requirements for buildings shall be as per ANNEXURE-XII", shall be substituted;

(v) in Note (20), for the expression "20% for 4 and 5 star hotels", the expression "30% for 3, 4 and 5 star hotel/resorts" shall be substituted.

(vi) after Note (26), the following notes shall be inserted, namely:—

"(27) In CBD areas, in zones having FAR more than 300, minimum area of the plot shall be 2000m<sup>2</sup> and accessibility to the plot shall not be less than 15.00 mts. SPC-CBD zone shall be restricted to Central Business District (CBD areas) as demarcated in Outline Development Plans/Zoning Plans and the uses permitted shall be as per Outline Development Plans/Zoning Plans.

(28) Higher FAR exceeding 200 in CBD areas shall be on payment of premium to the Government/Planning and Development Authorities as specified by the Government.

(29) An additional FAR upto 20% of the permissible FAR may be granted with the approval of the Government for medical institutions/hospitals with 200 beds and more, recognized by Central University/Goa University/Directorate of Higher Education/National Medical Commission and the like/Directorate of Health Services, as provided in Annexure-XIV-A."

8. *Amendment of regulation 10.*— In regulation 10 of the principal Regulations,—(i) in clause (a), after Table – IX-A, following Note shall be inserted, namely:—

"NOTE:— In Residential buildings/flats/apartments having more than eight dwelling units, in addition to parking specified in above Table for Residential buildings/flats/apartments, additional parking space of 10% rounded up to next highest integer shall be provided towards guest parking.";

(ii) after clause (f), the following clause shall be inserted, namely:—

"(g) All new and renovated non-residential buildings as well as individual and other residential buildings, Co-operative Housing Societies and Colonies managed by Residents Welfare Associations (RWAs), with parking demarcated for more than 10 equivalent car spaces ('ECS') shall have atleast 20% of such 'ECS' to be made 'Electric Vehicle ready' ECS spots with conduits installed or as per the GOA ELECTRIC MOBILITY PROMOTION POLICY- 2021 as amended from time to time."

9. *Amendment of regulation 12.4.*— In regulation 12.4 of the principal Regulations, for clause (d), the following clause shall be substituted, namely:—

"(d) The open spaces shall be used for recreational and community purposes of the occupants of the sub-divided plots and/or for installations of public utilities, provided that such installations do not cover more than 10% of each of the open space or they may cover by combining the 10% of each of the various existing/proposed open space parcels within the existing/proposed sub-division layout and utilize in one bigger parcel of the existing/proposed sub-division open space, a minimum of 3.00 metre setback from any edge of the plot is kept and the maximum height of any construction is restricted to 6.00 m only. Further, facilities like garbage disposal area, installation of transformer, etc., shall also be made available and shown in the site plan mandatorily within the 10% area as mentioned above. In case of water tower, the height restriction will not be applicable."

10. *Amendment of regulation 12.6.*— In regulation 12.6 of the principal Regulations, in clause (b), sub-clause (iii) shall be omitted.

11. *Amendment of regulation 12.7.*— In regulation 12.7 of the principal Regulations,—

- (i) clause (a) shall be omitted;
- (ii) clauses (b), (c) and (d) shall be re-numbered as (a), (b) and (c), respectively.

12. *Amendment of regulation 22.4(a).*— In regulation 22.4(a) of the principal Regulations,—

- (i) the existing provision shall be numbered as clause (a);

After clause (a) so numbered, the following clause shall be inserted, namely:—

"(b) Regularization of unauthorized construction having an area of more than 500 square metres, complying with these regulations and built before 31-12-2020 may be done on recommendation of Town and Country Planning Department or the Planning and Development Authority by verifying that the construction carried out prior to the cutoff date i.e. 31-12-2020 period of construction based on documents like electricity bill, water supply bill, tax receipts and other evidences. Compounding fee shall be six times the normal license fee for regularization of these structures."

13. *Amendment of regulation 22.5.*— In regulation 22.5 of the principal Regulations, the following Note shall be inserted, at the end, namely:—

"NOTE: In case of increase in height of buildings upto 5% or overall shift of position of the building without reducing the setback requirements by more than 5% and there is no increase in additional floor area and is complying with regulation 13.1(b) then the levy of compounding fee/charges as mentioned above shall not be applicable."

14. *Amendment of Annexure–XI.*—In Annexure–XI, of the principal Regulations.—

(i) in clause 2, for the expression "5% subject to a maximum of 500m<sup>2</sup> per holding. The maximum area permissible for a farm house irrespective of the area of plot will be 500m<sup>2</sup>.", the expression "15% subject to a maximum built up area of 1000m<sup>2</sup> per holding. The maximum built up area permissible for a farm house irrespective of the area of plot will be 1000m<sup>2</sup>." shall be substituted;

(ii) in clause 3, for the figure "5", the figure "15" shall be substituted.

15. *Substitution of Annexure–XII.*—For Annexure–XII appended to the principal Regulations, the following Annexure shall be substituted, namely:—

"ANNEXURE–XII

27. XII

The requirement of minimum width of road from various residential buildings, commercial buildings (Resort/hotels) and Industrial buildings with restrictions shall be as follows:

**Minimum width of road and extent of units/floor area in respect of residential buildings**

Minimum width of access/ road required in meters. **	No. of units	Total Maximum floor area of entire/all building
3 mts. or less if passing through others land/Traditional access	1 (single dwelling)	200 m <sup>2</sup>
3 mts. or more, but public road	1 (single dwelling)	500 m <sup>2</sup>
<b>PUBLIC ROADS</b>		
> 3 upto 4 mts.	2 units	400 m <sup>2</sup>
> 4 upto 5 mts.	4 units	600 m <sup>2</sup>
> 5 upto 6 mts.	8 units	1000 m <sup>2</sup>
6 mts. or greater	180 units	20,000 m <sup>2</sup>
8 mts. or greater	More than 180 units	> 20,000 m <sup>2</sup>

\*\* The project proponents shall leave the road widening area as prescribed in the Regional Plan/Outline Development Plan, and other roads not less than 6.0 mts. Most restrictive criteria among no. of units and floor area shall be considered for fixing the minimum width of access.

**Minimum width of road and extent of rooms/floor area in respect of Resorts/hotel buildings**

(1)	(2)	(3)	(4)	(5)
Sl. No.	Type of Occupancy	Total floor area of the building in sq. mts.	Number of rooms	**Minimum width of access/road required in meters.
1	Resorts/Hotel	1000	20	5
		Up to 2000	40	6
		Above 2000	More than 40	8

\*\* The project proponents shall leave the road widening area as prescribed in the Regional Plan/Outline Development Plan, and other roads not less than 8.0mts.

**Minimum width of access and extent of floor area and number of storeys in respect of Industrial buildings**

Sr. No.	Type of Occupancy	Total floor area of the building in sq. mts.	Number of storeys	**Minimum width of access required in meters
(1)	Small Industry	500	2	5
(2)	Small Industry	1000	2	6
(3)	Small Industry	2000	2	8
(4)	others	Any area	As per permissible height in Regulations	10

\*\* The project proponents shall leave the road widening area as prescribed in the Regional Plan/Outline Development Plan and other roads not less than 10.0 mts.

*Note:* Small scale industrial unit means an industrial unit carrying on small scale industry classified by Government from time to time for this purpose, but does not include an industry included in first schedule of the Factories Act, 1948."

**16. Amendment of Annexure – XIII.—** In Annexure-XIII of the principal Regulations,—

(i) for the heading "For granting FAR of 20% for 4 and 5 star hotels in the State of Goa.", the heading "For granting FAR of 30% for 3, 4 and 5 star hotels/resorts in the State of Goa" shall be substituted;

(ii) for the expressions "hotel" and "hotels", wherever they occur, the expressions "hotel/resort" and "hotels/resorts" shall be respectively substituted;

(iii) for the expressions "4 star and 5 star" and "4 and 5 star", whenever they occur, the expression "3 star, 4 star and 5 star" shall be substituted;

(iv) in clause (2), in sub-clause (xi), for the figures "20%", the figures "30%" shall be substituted.

**17. Insertion of new Annexure-XIV-A.—** After Annexure-XIV to the principal Regulations, the following Annexure shall be inserted, namely:—

**"ANNEXURE XIV-A**

**27. XIV-A**

**For allowing additional FAR to the medical institution/hospitals having 200 beds and more**

(1) The medical institutions/hospitals recognized by Central University/Goa University/Directorate of Higher Education/National Medical Commission and the like Directorate of Health Services are eligible to

avail additional FAR for this facility. However, they shall obtain prior no objection certificate for the additional FAR from the concerned Department of the Government of Goa.

(2) Such medical institutions/hospitals shall have minimum plot area as required for medical Institutions/Hospitals of 200 beds and more respectively.

(3) Such medical institutions/hospitals having 200 beds and more are eligible for additional FAR of upto 20% of the standard FAR permissible.

(4) The additional FAR shall not involve any relaxation in other planning parameters except height requirement subject to approval of the Government on a case to case basis.

(5) Only one additional floor is allowed.

(6) The benefit cannot be availed for any leased or rented premises. However, leased land with building owned by the medical institution/hospital having 200 beds and more will be permitted provided the lease is in force for at least 10 years from the date of application.

(7) The proposal shall be submitted to the respective Senior Town Planner's office for scrutiny and submission.

(8) Such proposal shall have approval of the Government.

(9) New buildings shall be permitted only on the recommendations of the Central University/Goa University, Directorate of Higher Education/National Medical Commission and the like/Directorate of Health Services.

(10) An undertaking will need to be issued by the applicant to the effect that the benefit of additional FAR availed shall be strictly for the permitted medical institution/hospital having 200 beds and more use only.

(11) A penalty as specified by the Government from time to time shall be levied on the defaulters for, failing to comply with condition No. 10 above.

(12) The Fire Department Clearance shall be insisted for all the cases wherever benefit of additional FAR is availed, irrespective of any height of the building.

(13) Affidavit/Certificate from the Consultant Engineers shall be insisted regarding safety aspect, including structural safety and earth quake resistance, while considering the applications."

By order and in the name of the Governor of Goa.

*James Mathew*, Chief Town Planner (Administration) & ex officio Joint Secretary.

Panaji, 29th August, 2022.

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